

SA 4648. Mr. VITTER (for himself, Mr. CRAIG, Mr. SPECTER, Mr. THUNE, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4649. Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, Ms. CANTWELL, Ms. STABENOW, and Mr. SMITH) submitted an amendment intended to be proposed to amendment SA 4582 submitted by Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, and Ms. CANTWELL) and intended to be proposed to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4650. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4651. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4652. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4653. Ms. CANTWELL (for Mr. REID) proposed an amendment to the resolution S. Res. 494, expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq.

TEXT OF AMENDMENTS

SA 4635. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, between lines 12 and 13, insert the following:

SEC. 520. STUDY OF EFFECT OF PROPOSED STRUCTURES NEAR AIRPORTS ON ONE ENGINE INOPERATIVE PROCEDURES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a study on the effect of buildings and other structures that are proposed to be built near airports on emergency procedures relating to aircraft that have one engine inoperative to determine if such buildings and structures are likely to—

(1) obstruct the flight of aircraft operating under one engine inoperative procedures; or

(2) result in delays in the movement of passengers through airports.

(b) REPORT.—

(1) IN GENERAL.—If the Administrator determines that buildings and other structures proposed to be built near airports are likely to cause an obstruction described in subsection (a)(1) or result in delays described in subsection (a)(2), the Administrator shall, not later than 180 days after the date of the enactment of this Act, submit to Congress a report on the results of the study required under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) an assessment of the extent of any obstructions described in subsection (a)(1) and any delays described in subsection (a)(2);

(B) recommendations for addressing such obstructions and delays; and

(C) recommendations regarding whether the obstacle evaluation process for proposed development near airports should be revised

to take into account the effect of development on emergency procedures relating to aircraft that have one engine inoperative.

SA 4636. Mr. REID proposed an amendment to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; as follows:

The provision of this act shall become effective 2 days after enactment.

SA 4637. Mr. REID proposed an amendment to amendment SA 4636 proposed by Mr. REID to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; as follows:

In the amendment, strike “2” and insert “1”.

SA 4638. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 68, strike line 23 and all that follows through page 69, line 2, and insert the following:

“(5)(A) There is established the position of Senior Vice President for the Next Generation Air Transportation System in the Air Traffic Organization of the Federal Aviation Administration, who shall be appointed by the Administrator of the Federal Aviation Administration and report to the Chief Operating Officer of the Federal Aviation Administration.

“(B) The Senior Vice President for the Next Generation Air Transportation System shall—

“(i) be the head of the Office; and

“(ii) be a voting member of the Federal Aviation Administration's Joint Resources Council and the Air Traffic Organization's Executive Council.”;

SA 4639. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4627 proposed by Mr. ROCKEFELLER to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 22, strike “and”.

On page 32, line 25, strike the period and insert “; and”.

On page 32, after line 25, insert the following:

(4) by adding at the end thereof the following:

“(3) A contract involving labor for carrying out an airport development project under a grant agreement under this subchapter must require that a preference be given to the use of small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 1632)) owned and controlled by disabled veterans.”.

SA 4640. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . STUDY BY ADMINISTRATOR OF AVIATION SECTOR GREENHOUSE GAS EMISSIONS.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall enter into an agreement with the National Academy of Sciences under which the Academy shall conduct a study on greenhouse gas emissions associated with the aviation industry, including—

(1) a determination of appropriate data necessary to make determinations of emission inventories, considering fuel use, airport operations, ground equipment, and all other sources of emissions in the aviation industry;

(2) an estimate of projected industry emissions for the following 5-year, 20-year, and 50-year periods;

(3) based on existing literature, research and surveys to determine the existing best practices for emission reduction in the aviation sector;

(4) recommendations on areas of focus for additional research for technologies and operations with the highest potential to reduce emissions; and

(5) recommendations of actions that the Federal Government could take to encourage or require additional emissions reductions.

(b) CONSULTATION.—In developing the parameters of the study under this section, the Administrator shall conduct the study under this section in consultation with—

(1) the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration; and

(2) other appropriate Federal agencies and departments.

SA 4641. Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. BAUCUS, Mr. COCHRAN, Mr. CARDIN, Mr. CASEY, Mrs. CLINTON, Ms. COLLINS, Mr. CONRAD, Mr. ENZI, Mr. HAGEL, Mr. HARKIN, Mr. LEAHY, Mr. LEVIN, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, Mr. WICKER, Mr. JOHNSON, Mr. SPECTER, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, between lines 14 and 15, insert the following:

SEC. 417. REPEAL OF ESSENTIAL AIR SERVICE LOCAL PARTICIPATION PROGRAM.

(a) IN GENERAL.—Subchapter II of chapter 417 of title 49, United States Code, is amended by striking section 41747.

(b) APPLICABILITY.—Title 49, United States Code, shall be applied as if section 41747 of such title had not been enacted.

(c) CLERICAL AMENDMENT.—The chapter analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41747.

SA 4642. Mr. ROCKEFELLER proposed an amendment to amendment SA 4637 proposed by Mr. REID to the amendment SA 4636 proposed by Mr. REID to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; as follows:

In the amendment, strike “1” and insert “3.”

SA 4643. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITIONS AGAINST VOICE COMMUNICATIONS USING MOBILE COMMUNICATIONS DEVICES ON SCHEDULED FLIGHTS.

(a) IN GENERAL.—Subchapter I of chapter 417, as amended by section 714 of this Act, is further amended by adding at the end the following:

“§ 41725. Prohibitions against voice communications using mobile communications devices on scheduled flights

“(a) INTERSTATE AND INTRASTATE AIR TRANSPORTATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an individual may not engage in voice communications using a mobile communications device in an aircraft during a flight in scheduled passenger interstate air transportation or scheduled passenger intrastate air transportation.

“(2) FLIGHT CREW AND FLIGHT ATTENDANTS.—The prohibition described in paragraph (1) shall not apply to a member of the flight crew or flight attendants on an aircraft.

“(b) FOREIGN AIR TRANSPORTATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Transportation shall require all air carriers and foreign air carriers to adopt the prohibition described in subsection (a) with respect to the operation of an aircraft in scheduled passenger foreign air transportation.

“(2) ALTERNATE PROHIBITION.—If a foreign government objects to the application of paragraph (1) on the basis that such paragraph provides for an extraterritorial application of the laws of the United States, the Secretary shall waive the application of paragraph (1) to a foreign air carrier licensed by that foreign government at such time as

an alternative prohibition on voice communications using a mobile communications device during flight is negotiated by the Secretary with such foreign government through bilateral negotiations.

“(c) DEFINITIONS.—In this section:

“(1) FLIGHT.—The term ‘flight’ means the period beginning when an aircraft takes off and ending when an aircraft lands.

“(2) VOICE COMMUNICATIONS USING A MOBILE COMMUNICATIONS DEVICE.—The term ‘voice communications using a mobile communications device’—

“(A) includes voice communications using—

“(i) a commercial mobile radio service or other wireless communications device;

“(ii) a broadband wireless device or other wireless device that transmits data packets using the Internet Protocol or comparable technical standard; or

“(iii) a device having voice override capability; and

“(B) does not include voice communications using a phone installed on an aircraft.

“(d) SAFETY REGULATIONS.—This section may not be construed to affect the authority of the Secretary to impose limitations on voice communications using a mobile communications device for safety reasons.

“(e) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section.”.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 417, as amended by section 714, is further amended by adding at the end the following:

“Sec. 41725. Prohibitions against voice communications using mobile communications devices on scheduled flights.”.

SA 4644. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LOST NATION AIRPORT, OHIO.

(a) APPROVAL OF SALE.—The Secretary of Transportation may approve the sale of Lost Nation Airport from the City of Willoughby, Ohio to Lake County, Ohio, if Lake County—

(1) meets all applicable requirements for sponsorship of the airport;

(2) agrees to assume the obligations and assurances of the grant agreements relating to the airport executed by the City of Willoughby under chapter 471 of title 49, United States Code; and

(3) agrees to operate and maintain the airport in accordance with such obligations and assurances.

(b) GRANTS.—

(1) IN GENERAL.—The Secretary may use funds made available under section 48103 of title 49, United States Code, to award a grant to Lake County, Ohio to assist in the purchase of the Lost Nation Airport under subsection (a).

(2) FEDERAL SHARE.—The Federal share of the grant under this subsection shall be equal to the lesser of—

(A) 90 percent of the purchase price for the Lost Nation Airport; and

(B) \$1,220,000.

(3) APPROVAL.—The Secretary may not award a grant under this subsection unless the Secretary receives written assurances re-

quired under section 47107 of title 49, United States Code, with respect to such grant and the Lost Nation Airport.

(c) TREATMENT OF SALE PROCEEDS.—To the extent necessary to allow the City of Willoughby to use the proceeds from the sale approved under subsection (a) for any purpose authorized by the City of Willoughby, the Secretary may waive—

(1) the provisions of sections 47107 and 47133 of title 49, United States Code;

(2) any obligations to which the City of Willoughby is subject as a result of a grant received from the Federal Aviation Administration; and

(3) any regulation or policy of the Federal Aviation Administration.

SA 4645. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 99, line 12 strike everything after “5 operations.” through line 19.

SA 4646. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COMMISSION ON THE FUTURE OF THE UNITED STATES COMMERCIAL AND GENERAL AVIATION INDUSTRY.

(a) ESTABLISHMENT.—There is established a commission to be known as the “Commission on the Future of the United States Commercial and General Aviation Industry”.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be comprised of 12 members, appointed not later than October 1, 2008, of whom—

(A) up to 6 shall be appointed by the President;

(B) 2 shall be appointed by the Speaker of the House of Representatives;

(C) 2 shall be appointed by the majority leader of the Senate;

(D) 1 shall be appointed by the minority leader of the Senate; and

(E) 1 shall be appointed by the minority leader of the House of Representatives.

(2) QUALIFICATIONS.—The members of the Commission shall be appointed primarily from among persons with extensive private sector experience in commercial aviation manufacturing and persons with extensive private sector experience in general aviation manufacturing, and from among persons with extensive experience in economics, international trade, immigration policy, or labor policy as it relates to the Industry.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) CHAIRMAN.—The President shall designate 1 member of the Commission to serve as the Chairman of the Commission.

(5) MEETINGS.—The Commission shall meet at the call of the Chairman. A majority of the members shall constitute a quorum, but fewer members may hold hearings.

(c) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) study the issues associated with the future of the industry in the global economy, particularly with respect to the industry's international competitiveness; and

(B) assess the future importance of the industry for the economic growth and export potential of the United States.

(2) TOPICS OF STUDY.—In order to fulfill its responsibilities, the Commission shall study—

(A) current-, short-, and long-term trends in the global commercial aviation industry, including an assessment of—

(i) the effect of existing and recent foreign-based entrants into the commercial aviation market on the industry; and

(ii) ways in which foreign governments provide incentives or engage in unfair trade practices to the detriment of the industry;

(B) current-, short-, and long-term trends in the general aviation industry, including an assessment of—

(i) the effect on the industry of existing and recent foreign-based entrants into the general aviation market;

(ii) the effect of general aviation on the economy of the United States;

(iii) the effect of general aviation on domestic job creation; and

(iv) ways in which general aviation contributes to the global economic competitiveness and balance of trade of the United States;

(C) the effect on the industry of increasing costs for fossil fuel resources and the applicability of alternative fuels to replace fossil fuels;

(D) the Federal budget process, including an assessment of—

(i) the adequacy of projected budgets of Federal departments and agencies for aerospace research and development;

(ii) the adequacy of the level of communication and coordination between Federal departments and agencies as regards aerospace research and development; and

(iii) the adequacy of current levels of communication and consultation between Federal departments and agencies and industry stakeholders when developing aviation budgets and industry analysis;

(E) the tax laws, regulatory policies, and acquisition process of the Federal Government, including an assessment of their effect on maintaining a growing manufacturing base for all sectors of the industry;

(F) laws governing international trade and exports, including an assessment of the adequacy of United States and multilateral trade laws and policies for maintaining the international competitiveness of the industry;

(G) laws governing the immigration of skilled aerospace workers, including an assessment of the impact of current immigration laws on the short-term viability of the aerospace technology workforce; and

(H) the adequacy of—

(i) Federal, State, and local programs for the support of science and engineering education, including current programs for supporting aerospace science and engineering efforts at institutions of higher learning; and

(ii) programs for the support of workforce development at institutions of higher learning or State and local centers for technical training.

(d) REPORT.—

(1) SUBMISSION.—Not later than September 30, 2009, the Commission shall submit a report describing its activities to the President and Congress.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) the Commission's findings and conclusions;

(B) the Commission's recommendations for actions by Federal departments and agencies and State and local governments to support the maintenance of a robust commercial and general aviation industry in the United States, including any recommendations for legislative or regulatory changes to support the implementation of the Commission's findings; and

(C) a discussion of the appropriate means for implementing the Commission's recommendations.

(e) POWERS OF THE COMMISSION.—

(1) ADMINISTRATIVE REQUIREMENTS.—The Director of the Office of Management and Budget shall provide the Commission with sufficient funding to procure such administrative services, facilities, staff, and other support services as may be necessary to carry out the purposes of this section.

(2) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the purposes of this section.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission may request directly from any Federal department or agency any information that the Commission considers necessary to carry out the provisions of this section. The head of a department or agency receiving a request for information under this paragraph shall furnish such information to the Commission in accordance with applicable law.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal departments and agencies.

(f) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Members of the Commission shall serve without additional compensation for their service on the Commission, except that each member who is not an officer or employee of the Federal Government may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service under subchapter I of chapter 57 of title 5, United States Code, while away from their homes and places of business in the performance of services for the Commission.

(2) STAFF.—The chairman of the Commission may appoint staff of the Commission, request the detail of Federal employees, and accept temporary and intermittent services in accordance with section 3161 of title 5, United States Code.

(g) TERMINATION.—The Commission shall terminate 30 days after the date of the submission of its report under subsection (d).

(h) DEFINITIONS.—

(1) In this section:

(A) COMMISSION.—The term "Commission" means the Commission on the Future of the United States Commercial and General Aviation Industry.

(B) INDUSTRY.—The term "industry" means the commercial and general aviation industry in the United States.

SA 4647. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 4590 submitted by Mrs. MCCASKILL (for herself, Mr. SPECTER, Mr. OBAMA, and Mrs. CLINTON) and intended to be proposed to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to

improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4 of the matter proposed to be inserted, strike line 1 and all that follows through page 9, line 2, and insert the following:

“(b) REQUIREMENTS FOR MAINTENANCE PERSONNEL PROVIDING COVERED MAINTENANCE WORK.—Not later than 3 years after the date of the enactment of this section, the Administrator shall prescribe regulations requiring all covered maintenance work on United States commercial aircraft of a part 121 air carrier to be performed by maintenance personnel employed by—

“(1) a part 145 repair station;

“(2) a part 121 air carrier;

“(3) a person that provides contract maintenance personnel to a part 145 repair station or a part 121 air carrier, if such personnel—

“(A) meet the requirements of such repair station or air carrier, as the case may be;

“(B) work under the direct supervision and control of such repair station or air carrier, as the case may be; and

“(C) carry out their work in accordance with the quality control manuals of such repair station or the maintenance manual of such air carrier, as the case may be; or

“(4) a holder of a production certificate under part 21 of title 14, Code of Federal Regulations, if such personnel are subcontracted by a part 145 repair station.

“(c) CERTIFICATION OF INSPECTION OF FOREIGN REPAIR STATIONS.—

“(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this section, annually thereafter, and except as provided in paragraph (2), the Administrator shall certify to Congress that—

“(A) each foreign repair station certified by the Administrator that performs maintenance work on an aircraft or a component of an aircraft for a part 121 air carrier has been inspected not fewer than 2 times in the preceding calendar year by an aviation safety inspector of the Federal Aviation Administration; and

“(B) not fewer than 1 of the inspections required by paragraph (1) for each certified foreign repair station was carried out at such repair station without any advance notice to such foreign repair station.

“(2) EXCEPTION.—The requirements of paragraph (1) shall not apply with respect to foreign repair stations located in countries with which the United States has entered into a bi-lateral maintenance agreement.

“(d) DRUG AND ALCOHOL TESTING OF FOREIGN REPAIR STATION PERSONNEL.—Not later than 1 year after the date of the enactment of this section, the Administrator shall amend the certification requirements under part 145 of title 14, Code of Federal Regulations, to require alcohol and controlled substance testing in accordance with section 45102 of this title for any individual employed by a foreign repair station who performs a safety-sensitive function on a United States commercial aircraft of a part 121 air carrier.”

(2) TEMPORARY PROGRAM OF IDENTIFICATION AND OVERSIGHT OF NONCERTIFIED REPAIR FACILITIES.—

(A) DEVELOP PLAN.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall develop a plan—

(i) to require each part 121 air carrier to identify and submit to the Administrator a complete list of all noncertified maintenance providers that perform covered maintenance work on United States commercial aircraft operated by such part 121 air carriers to provide air transportation;

(ii) to validate lists described in clause (i) that are submitted by a part 121 air carrier to the Administrator by sampling the records of part 121 air carriers, such as maintenance activity reports and general vendor listings; and

(iii) to carry out surveillance and oversight by field inspectors of the Federal Aviation Administration of all noncertificated maintenance providers that perform covered maintenance work on United States commercial aircraft for part 121 air carriers.

(B) **REPORT ON PLAN FOR PROGRAM.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to Congress a report that contains the plan required by subparagraph (A).

(C) **IMPLEMENTATION OF PLANNED PROGRAM.**—Not later than 1 year after the date of the enactment of this Act and until regulations are prescribed under section 44730(b) of title 49, United States Code, as added by paragraph (1), the Administrator shall carry out the plan required by subparagraph (A).

(D) **ANNUAL REPORT ON IMPLEMENTATION.**—Not later than 180 days after the commencement of the plan under subparagraph (C) and each year thereafter until the regulations described in such subparagraph are prescribed, the Administrator shall submit to Congress a report on the implementation of the plan carried out under such subparagraph.

(3) **CLERICAL AMENDMENT.**—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following: “44730. Repairs stations.”.

(c) **REPAIR STATION SECURITY REQUIREMENTS.**—Section 44924 is amended by striking subsections (a) through (g) and inserting the following:

“(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this section, the Administrator shall require each part 145 repair station, as a condition of certification or recertification under part 145 of title 14, Code of Federal Regulations, to implement security requirements—

“(1) to ensure that the facilities of such repair station are safe and secure; and

“(2) that include the requirements described in subsection (b).

“(b) **SECURITY REQUIREMENTS.**—The security requirements described in this subsection are requirements of a part 145 repair station to implement the following:

“(1) Methods for controlling access to secure areas.

“(2) Methods to insure that an individual is immediately denied entry to secured areas when that person's access authority for that area is withdrawn.

“(3) Methods to ensure that visitors are escorted while on facility premises.

“(4) A program to subject each individual applicant for employment with the repair station to employment history verification.

“(5) A program to ensure the security of protected materials.

“(c) **COMPLIANCE OF REPAIR STATIONS WITH SECURITY REQUIREMENTS.**—

“(1) **PROHIBITION ON CERTIFICATION OF REPAIR STATIONS THAT DO NOT COMPLY WITH SECURITY REQUIREMENTS.**—The Administrator may not certify or recertify a repair station under part 145 of title 14, Code of Federal Regulations (or any successor regulation), unless—

“(A) such repair station is in compliance with the security requirements required by subsection (a); and

“(B) such repair station certifies to the Under Secretary for Border and Transportation Security annually that such repair station is in compliance with such security requirements.

“(2) **NOTIFICATION TO AIR CARRIERS OF NON-COMPLIANCE BY REPAIR STATIONS.**—If the

Under Secretary for Border and Transportation Security of the Department of Homeland Security is aware that a part 145 repair station is not in compliance with a security requirement required by subsection (a) or that a security issue or vulnerability has been identified with respect to such repair station, the Under Secretary shall provide notice to each part 121 air carrier of such noncompliance or security issue or vulnerability.

“(d) **DEFINITIONS.**—In this section:

“(1) **PART 121 AIR CARRIER.**—The term ‘part 121 air carrier’ means an air carrier that holds a certificate under part 121 of title 14, Code of Federal Regulations (or any successor regulation).

“(2) **PART 145 REPAIR STATION.**—The term ‘part 145 repair station’ means a foreign or domestic repair station that holds a certificate under part 145 of title 14, Code of Federal Regulations (or any successor regulation).”.

SA 4648. Mr. VITTER (for himself, Mr. CRAIG, Mr. SPECTER, Mr. THUNE, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 7. OIL AND NATURAL GAS LEASING IN NEW PRODUCING AREAS.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE PRODUCING STATE.**—The term “eligible producing State” means—

(A) a new producing State; and

(B) any other producing State that has, within the offshore administrative boundaries beyond the submerged land of a State, areas available for oil leasing, natural gas leasing, or both.

(2) **NEW PRODUCING AREA.**—The term “new producing area” means an area that is—

(A) within the offshore administrative boundaries beyond the submerged land of a State; and

(B) not available for oil or natural gas leasing as of the date of enactment of this Act.

(3) **NEW PRODUCING STATE.**—The term “new producing State” means a State with respect to which a petition has been approved by the Secretary under subsection (b).

(4) **QUALIFIED REVENUES.**—The term “qualified revenues” means all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after the date of enactment of this Act for new producing areas.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(b) **PETITION FOR LEASING NEW PRODUCING AREAS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, during any period in which the West Texas Intermediate daily price of crude oil (in dollars per barrel) exceeds 190 percent of the annual price of crude oil (in dollars per barrel) for calendar year 2006, the Governor of a State, with the concurrence of the State legislature, may submit to the Secretary a petition requesting that the Secretary make a new producing area of the State eligible for oil leasing, gas leasing, or both, as determined by the State, in accordance with the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) and the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(2) **NATURAL GAS LEASING ONLY.**—The Governor of a State, with the concurrence of the State legislature, may, in a petition submitted under paragraph (1), make a request to allow natural gas leasing only.

(3) **ACTION BY SECRETARY.**—As soon as practicable after the date on which the Secretary receives a petition under paragraph (1), the Secretary shall approve or disapprove the petition.

(c) **DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM ELIGIBLE PRODUCING STATES.**—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), for each applicable fiscal year, the Secretary of the Treasury shall deposit—

(1) 50 percent of qualified revenues in the general fund of the Treasury; and

(2) 50 percent of qualified revenues in a special account in the Treasury, from which the Secretary shall disburse—

(A) 37.5 percent to eligible producing States for new producing areas, to be allocated in accordance with subsection (d)(1); and

(B) 12.5 percent to provide financial assistance to States in accordance with section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8).

(d) **ALLOCATION TO ELIGIBLE PRODUCING STATES.**—

(1) **IN GENERAL.**—The amount made available under subsection (c)(2)(A) shall be allocated to eligible producing States in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each eligible producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract, as determined by the Secretary.

(2) **USE.**—Amounts allocated to an eligible producing State under subparagraph (A) shall be used to address the impacts of any oil and natural gas exploration and production activities under this section.

(e) **EFFECT.**—Nothing in this section affects—

(1) the amount of funds otherwise dedicated to the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5); or

(2) any authority that permits energy production under any other provision of law.

SA 4649. Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, Ms. CANTWELL, Ms. STABENOW, and Mr. SMITH) submitted an amendment intended to be proposed to amendment SA 4582 submitted by Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, and Ms. CANTWELL) and intended to be proposed to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 5 through 7, and insert the following: “cargo (other than bulk cargo).”.

On page 3, line 3, strike the end quotation marks and second period and insert the following:

“(4) **BULK CARGO.**—For purposes of this subsection, the term ‘bulk cargo’ shall have the

meaning given such term by section 53101(1) of title 46, United States Code (as in effect on the date of the enactment of this subsection)."

SA 4650. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . SAFE AND ON TIME AIR TRAVEL.

(a) **SHORT TITLE.**—This section may be cited as the "Safe and On Time Travel Act."

(b) **PRIORITIZING AVIATION PROJECTS.**—Any congressionally directed spending item (as that term is defined in rule XLIV of the Standing Rules of the Senate, as added by section 521 of the House Leadership in Government Act of 2007 (Public Law 110-81)), designated for administration by the Federal Aviation Administration shall be subject to the Administration's review and selection process. After the Administration completes its review, the Secretary of the Department of Transportation shall determine if the merits of each such congressionally directed spending item outweighs the merits of any backlogged projects and has resulted in flight delays or poses a risk to airline safety. If the Secretary determines that the congressionally directed spending item does not outweigh the backlogged project, the Secretary shall have the authority to reprogram funding provided for any such congressionally directed spending item for an identified backlogged project.

(c) **REPORT.**—The Secretary shall submit a report to Congress and make available annually on the Department's website the findings of the Federal Aviation Administration reviews of congressionally directed spending items. The report shall identify the following:

(1) A cost estimate and location of each backlogged project that may be affecting flight delays or pose a risk to airline safety.

(2) A cost estimate and location of each congressionally directed spending item designated for administration by the Federal Aviation Administration.

(3) The result of each of the Administration's reviews and selection processes with respect to the merits of each congressionally directed spending item.

(4) A listing of any congressionally directed spending item with respect to which funding was reprogrammed to reduce flight delays or improve airline safety.

(5) A detailed description of how the reprogramming of funding for any congressionally directed spending item was spent to reduce flight delays or improve airline safety.

SA 4651. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 2 and 3, insert the following:

(f) **REALIGNMENT OF TERMINAL RADAR APPROACH CONTROL AT PALM BEACH INTERNATIONAL AIRPORT.**—

(1) **PROHIBITION.**—Notwithstanding any other provision of this section, the Administrator of the Federal Aviation Administration may not carry out, or plan for, the consolidation, deconsolidation, colocation, execution of interfacility reorganization, or facility elimination of the terminal radar approach control (TRACON) at Palm Beach International Airport.

(2) **REPLACEMENT OF TERMINAL RADAR APPROACH CONTROL AT PALM BEACH INTERNATIONAL AIRPORT.**—The Administrator shall ensure that any air traffic control tower or facility placed into operation at Palm Beach International Airport after September 30, 2007, to replace an air traffic control tower or facility placed into operation before September 30, 2007, includes an operating terminal radar approach control.

SA 4652. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 65, strike line 24 and all that follows through page 66, line 2, and insert the following:

(4) Until the Board's recommendations are completed, the Administrator may not—

(A) consolidate any additional approach control facilities into—

(i) the Southern California TRACON; or

(ii) the Memphis TRACON; or

(B) de-consolidate, relocate, colocate, reorganize, combine, de-combine, split, or otherwise realign—

(i) the Miami International Airport TRACON and Tower;

(ii) the Orlando International Airport TRACON and Tower; or

(iii) the Palm Beach International Airport TRACON and Tower.

SA 4653. Ms. CANTWELL (for Mr. REID) proposed an amendment to the resolution S. Res. 494, expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq; as follows:

On page 3, beginning on line 9, strike "to merge reconstruction assistance funds provided by the United States with funds" and insert "to coordinate United States reconstruction assistance funds, in whatever form they are provided, with funds".

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, May 1, at 9:30 a.m. in room 562 of the Dirksen Senate Office building to conduct a hearing entitled "Indian Energy Development—Regaining Self-Determination Over Reservation Resources."

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 1, 2008, at 2 p.m. to conduct a Committee hearing entitled "The More You Know, the Better Buyer You Become: Financial Literacy for Today's Homebuyers."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, May 1, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, May 1, 2008, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, May 1, 2008, at 2:15 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 1, 2008, at 2:30 p.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Keeping America's Children Safe: Preventing Childhood Injury" on Thursday, May 1, 2008. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.